

REMARKS

Applicants and Applicants' attorney express appreciation to the Examiner for the courtesies extended during the recent telephonic interview held on June 9, 2003. Reconsideration and allowance for the above-identified application are now respectfully requested. Claims 1-5 and 7-42 are pending, wherein claim 6 has been cancelled without prejudice, claims 1, 7, 8 and 31 and have been amended, and claim 42 has been added.

The Office Action indicates that claims 12-28 and 30 are allowed and that claims 6-10 and 36-41 are merely objected to as being dependent upon a rejected base claim, and would be allowable if rewritten in independent form. Claim 1 has been amended to incorporate the limitation of claim 6. Accordingly, claim 1 as amended embodies claim 6 in independent form and is patentable over the prior art of record.

Independent claims 12 and 18 are deemed to be allowable. Applicants have added new claim 42, which depends from allowed claim 18, in order to more fully claim what Applicants regard as their invention. Support for new claim 42 is found in paragraph 15 of the specification.

Independent claim 31 was alternatively amended to recite "a lens removably attached to the end of the extension arm distal to the main body portion and positioned relative to the light generating source, and without an intervening fiber optic wand positioned between the lens and the light generating source, so as to focus light emitted by the light generating source" (underlining shows added language). Support for a lens that is positioned relative to a light generating source "without an intervening fiber optic wand between the lens and the light generating source" is found in paragraphs 17, 29 and 45 of the specification. A "light generating source" (e.g., LED, bulb, or laser) makes, produces or generates light, as opposed to a fiber optic wand, which is not a light generating source but a conduit for channeling light from a light generating source to the dental application site.

An example of a device that includes an intervening fiber optic wand positioned between a light generating source and what the Office Action alleges is a lens is shown in U.S. Patent No. 4,666,406 (Kanka, III). Contrary to what is alleged in the Office Action, the fiber optic wand 12 of Kanka, III is not a "light generating source". That the fiber optic wand 12 of Kanka, III does not "generate" light, but merely acts a conduit to channel light that is generated by handpiece 18, is clearly shown in Figure 4 of Kanka, III, which shows arrows representing "light from handpiece 18" entering an end of the fiber optic wand 12 distal to where the alleged lens 31 is

located. Not only does Kanka, III neither teach nor suggest positioning a lens relative to a light generating source "without an intervening fiber optic wand positioned between the lens and the light generating source", Kanka, III explicitly teaches positioning an intervening fiber optic wand between an alleged lens 31 and the light generating handpiece 18. Col., lines 53-55; col. 3, lines 12-30; col. 4, lines 34-39. Thus, Kanka, III actually teaches away from claim 31 as now amended. Applicants therefore submit that claim 31 as amended is patentable over the prior art of record.

Finally, the Office Action indicates that the IDS filed on April 22, 2002 was not considered. Although no specific reason was given, the Office Action quotes 37 CFR § 1.98(a), highlighting in bold subsections 1.98(a)(2)(iii) and 1.98(a)(3)(i) without explanation. Upon reviewing the quoted subsections, Applicants do not understand why the IDS filed on April 22, 2002 was not considered. Because a complete copy of each of the U.S. applications cited in the IDS was provided (including the claims, drawings, and specification as required by subsection 1.98(a)(2)(iii), Applicants have complied with subsections 1.98(a)(1) and (2) in their entirety. Compliance with subsection 1.98(a)(3)(i), which requires a concise explanation of references not in English, is not required since every U.S. application submitted in the IDS filed on April 22, 2002 is in English. In view of the foregoing, Applicants respectfully request the Examiner to reconsider the IDS filed on April 22, 2002.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 11th day of June 2003.

Respectfully submitted,



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